

**THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL BOARD**

<b>In the Matter of:</b>	)	
	)	
1624 U Street, Inc.	)	
t/a Chi-Cha Lounge	)	
	)	
Petition to	)	
Terminate a Voluntary Agreement	)	License No. ABRA-026519
for a Retailer's Class CT License	)	Order No. 2011-411
	)	
at premises	)	
1624 U Street, N.W.	)	
Washington, D.C. 20009	)	
	)	

1624 U Street, Inc., t/a Chi-Cha Lounge (Petitioner)

Joseph Masullo, abutting property owner

**BEFORE:** Nick Alberti, Interim Chairperson  
Donald Brooks, Member  
Herman Jones, Member  
Calvin Nophlin, Member  
Mike Silverstein, Member

**ORDER TERMINATING VOLUNTARY AGREEMENT BETWEEN  
CHI-CHA LOUNGE, L. OWEN TAGGART, AND PRESTON A. REED JR.**

A Petition to Terminate a Voluntary Agreement (Petition) filed by 1624 U Street, Inc., t/a Chi-Cha Lounge (Petitioner), was protested by Joseph Masullo, and came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on June 6, 2011, and a Protest Status Hearing on August 3, 2011, in accordance with D.C. Official Code § 25-601 (2001).

On June 6, 2011, pursuant to Title 23 of the District of Columbia Municipal Regulations ("23 DCMR") § 1602.3 (2004), the Board dismissed the Petition, because the Petitioner failed to appear at the Roll Call Hearing. *See* Board Order No. 2011-283, dated June 8, 2011.

On June 7, 2011, the Petitioner filed a request for Reinstatement of Petition to Terminate a Voluntary Agreement indicating that the Petitioner inadvertently went to the former Alcoholic Beverage Regulation Administration (ABRA) location at 1250 U Street, N.W. Therefore, the Petitioner was six minutes late for the Roll Call Hearing. On June

29, 2011, the Board reinstated the Petition. *See* Board Order No. 2011-302, dated June 29, 2011.

On August 2, 2011, the Mr. Masullo requested a continuance, due to illness, of the Protest Status Hearing for August 3, 2011, and the Petitioner opposed Mr. Masullo's request, because the Petitioner previously consented to a continuance. Alternatively, Mr. Masullo was advised to designate a representative to appear on his behalf.

On August 3, 2011, pursuant to Title 23 of the District of Columbia Municipal Regulations ("23 DCMR") § 1602.3 (2004), the Board denied Mr. Massullo's Request for Continuance, because the Board did not find good cause, and dismissed his Protest for failure to appear at the Protest Status Hearing. *See* Board Order No. 2011-362, dated August 10, 2011.

The Petitioner entered into a Voluntary Agreement with L. Owen Taggart and Preston A. Reed Jr. on February 24, 2006, which the Petitioner now seeks to terminate under D.C. Official Code § 25-446(d)(1)(2)(A) & (B). Mr. Taggart and Mr. Reed, the only parties to the Voluntary Agreement, dated February 24, 2006, have moved from their previous address, and the Petitioner was unable to locate them after a diligent search.

The Petitioner entered into a separate Voluntary Agreement with the Advisory Neighborhood Commission (ANC) 2B on May 21, 2009, which will remain in effect.


The Board finds that terminating the Voluntary Agreement, dated February 24, 2006, will not have an adverse impact on the community, where the Petitioner is located. *See* D.C. Code § 25-446(d)(4)(C). Therefore, the Board approves the Motion filed by the Petitioner.

## **ORDER**


The Board does hereby, this 5th day of October 2011, **TERMINATE** the Voluntary Agreement, dated February 24, 2006, between L. Owen Taggart and Preston A. Reed Jr. A copy of this Order shall be sent to the Petitioner and Joseph Masullo.

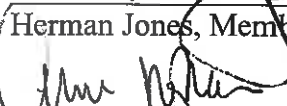
1624 U Street, Inc.  
t/a Chi-Cha Lounge  
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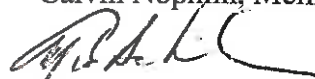
District of Columbia  
Alcoholic Beverage Control Board

  
Nick Alberti, Interim Chairperson

  
Donald Brooks, Member

  
Herman Jones, Member

  
Calvin Nophlin, Member

  
Mike Silverstein, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), any Party adversely affected by this Order may file a Motion for Reconsideration within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009.